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Working Group on Contemporary Forms
of Slavery
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Item 4 (d) of the provisional agenda

REVIEW OF DEVELOPMENTS IN OTHER FIELDS OF CONTEMPORARY FORMS OF SLAVERY

Exploitation and traffic in all its forms affecting children, including the phenomenon of street children, child soldiers, illegal traffic for the purposes of adoption and organ transplants

Information provided by non-governmental organizations pursuant to Sub-Commission resolution 1993/5

FRIENDS WORLD COMMITTEE FOR CONSULTATION

[17 December 1993]

1. Although the United Nations Convention on the Rights of the Child states that children under 15 years should not be recruited into armed forces (art. 38), in a series of conflicts in Latin America, children from indigenous groups have been caught up in fighting. The International Year of Indigenous Peoples seems a fitting time to focus on this. The information presented (taken from public sources) may give additional insight into the question of child soldiering.

Colombia

Forced military service

2. Sometimes the guerrillas have risked upsetting their cooperative relationships with the villagers by taking boys by force. Some of those forced to enrol in the guerrilla army have been from the Indian minority. 1/

Guatemala

3. In Guatemala, the army and its civil defence patrols have both forcibly recruited indigenous people under 18. Some Indian youths aged 15 to 18 have moved from "local development schemes" to armed warfare in their struggle for social justice.

Regular army

4. In 1988 the army had "major bases in each of Guatemala's 22 departments, and garrisons in virtually every town with more than 10,000 people". 2/

Resistance against forced conscription

5. Peasants from San Lucas Toliman denounced the sending of soldiers to forcibly conscript young men and boys into the armed forces. The soldiers, some in uniform and some in civilian clothes, have disregarded age, marital status and social standing as they dragged off market vendors, boys playing on the recreation courts or youths riding the buses. 3/

6. The Mayans have been asking for the demilitarization of Guatemalan society. They have protested against the forced and prejudiced fashion in which military recruitment has been done for a decade. They have stated that it does not seem to matter to the army if those they kidnap are minors. 4/

7. The Mayan people propose that a remunerated social service be created by the State so that young people would have the option to serve their community and contribute to cultural, economic and social development rather than being forced into killing. 5/

8. Congressman Otto Rolando Ruana denounced to the Congressional Committee on Human Rights the fact that the military command in Jalapa and El Peten, in defiance of constitutional provisions, were illegally conscripting young men and boys with no regard to age, marital status or the fact that some of the conscripts are only sons who have sole responsibility for the family's economic survival. 6/

Civil Defence Patrols

9. The Civil Defence Patrols were formed in 1981 under the Government of Rios Montt. In 1982-1983 forcing Indians into the patrols was seen as a measure of counter-insurgency. 7/ By 1984 the system incorporated "virtually all male Indians from the western highlands between the ages of 16 and 60". 8/

Forced conscription

10. The Pro Justice and Peace Committee reported in 1989 that more than a million indigenous people had been forced to join the Civil Defence Patrols set up under army auspices. 9/ Civilian agents in the pay of the army, aided by other armed civilians, abducted at random young men, including minors, and press-ganged them into the patrols in breach of the Constitution and the law. 10/

11. By 1989 in at least one town, Santa Lucia Utatlan, indigenous women, including some aged 15 to 18 were forced by the army to form a military reserve unit, in spite of opposition from their parents. 11/

Ill-treatment

12. The Pro Justice and Peace Committee has stated that "The young men are mistreated from the moment they are apprehended. In the barracks, the petty officers and the high-ranking officers, who are almost all Ladinos, treat them worse than animals." 12/

Forced labour

13. Persons conscripted into the Civil Defence Patrols have been required to do unpaid service in their local areas for 8 to 24 hours every 4 to 15 days, depending on the size of their community and the strictness with which they are controlled. In 1988, these militias remained on active duty mainly in areas where the struggle between the insurgency and the counter-insurgency were the strongest. 13/

14. The Council of Ethnic Communities, 14/ headed by Amilcar Mendez Urizar, helps men, including those under 18, to resist forced service in the Civil Defence Patrols. It has helped more than 600 men and boys, many illiterate, to file requests for withdrawal from the patrols.

15. The Commission on Human Rights recommended in its resolution 1991/51 that recruitment into Civilian Defence Patrols should respect age 18 as the lower limit for conscription into the armed forces. At the 1992 session of the Commission, the representative of Pax Romana indicated that the Government had not yet complied with the provisions outlined in the resolution. 15/

Guerrilla movements

16. Until late 1978, the indigenous ethnic groups have favoured mass organization over armed struggle, but in 1979 the army's counter-insurgency plan began to generate changes in that altitude. 16/ Many Indians aged 15 to 30 learned from experience that the guerrilla organizations supplied a structure for the survival of the community 17/ and constituted an alternative for youths to avoid forced military service. After 1980 and the years of repression, thousands of Indians joined the guerrilla organizations, especially the Ejercito Guerillero de las Pobres, founded in 1972. These forces were almost all destroyed in the army campaigns from 1980 to 1985. By 1987, the Unidad Revolucionaria Nacional Guatemalteca (coordinating

guerrilla groups, with which the Government is supposed to be negotiating under the Central American Peace Accords) had more guns than militants 18/ (the movement includes both soldiers and civilians).

Nicaragua

17. The Atlantic coast or the eastern half of Nicaragua includes the Indian groups of the Miskitos (about 80,000), the Suma (about 4,000) and the Rama (about 800). When the region was incorporated into the Nicaraguan State in 1894, it enjoyed relative political autonomy.

18. By 1981 the pressures from the Sandinista Government resulted in an exodus of some Miskitos towards Honduras and the beginning of an armed struggle to regain their traditional rights of self-government. Fearing that the Miskito Indians would strengthen the Contra forces, the Sandinistas relocated part of the Miskito community away from their villages during the period 1981-1983. 19/ Several thousand crossed the border into Honduras as refugees.

19. After December 1983, the Sandinista Government tried to remedy its political mistakes in dealing with the indigenous peoples of the Atlantic coast by decreeing an amnesty for those who had fled, admitting the violations by the army and setting up a system of compensation. The Government also began a process of allotting the Indians more political and economic autonomy. 20/

20. Some under-18s have fought with the Indian groups and some under-15s have served on guard duty. 21/ At the training camp of the Miskito Indians, the commander explained to a journalist, "These youngsters are the best elements in our army. They do not fear war." 22/ The commanders sometimes take boys from the refugee camps.

Peru

21. The Shining Path, according to Claude Auroi, "is not a movement for the liberation of the Indians, for it exchanges the boss for the political commissar". 23/ In fact, many of the Indian communities in the Andes have turned against them because of the more or less obligatory enlistment of youths for military service with the Shining Path. The guerrillas have used the same methods as the governmental army, which has been accustomed to raid villages and carry off recruits by force. 24/

22. Simon Strong indicates that sometimes the Shining Path has infiltrated the Church and kidnapped Indian children from its youth groups. Father Hilario Huanca of Ayavir, where the pews are full of Indians with brown bowler hats, says that "Boys and girls as young as 12 years old are being grabbed in the streets and taken away for a week. They are told that they will be killed if they fail to cooperate afterwards." 25/ In Lima, when Father Mariano realized that his Indian teenagers were being recruited by the Shining Path, he closed the monastery school. 26/

23. The Shining Path has been particularly hard on the 50,000 Ashaninka Indians who live in the Ehi, Tambo, and Pichis regions of the Amazonian rain

forest in central Peru. The Shining Path has adopted ruthless methods to gain control over the Ashaninkas, who have been used to living in harmony with their surroundings in a world peopled by myths. According to one Indian spokesman, guerrillas of the Shining Path have been trying to get them to divide community land, and they have taken away the children for use in their armies. 27/

24. In February 1990, after the Indian chiefs decided to form an army to defend their territory, the Shining Path redoubled its violence and caused thousands of Ashaninkas to retreat into the depths of the forest. Ten thousand were caught and herded into camps called "liberated territories" or "open bases of operations", and any child over 11 years old was enrolled in the militias and self-defence camps. 28/

Notes

1/ La vie quotidienne en Colombie au temps du cartel de Medellin, by Hubert Prolongeau, (Paris, Hachette, 1992), p. 191.

2/ Guatemala Indians and the State: 1540 to 1988, edited by Carol Smith (Austin, University Texas Press, 1990), p. 272.

3/ Human Rights in Guatemala 1990 (Guatemala City, Pro Justice and Peace Committee, October 1990).

4/ The Mayan People and Human Rights 1992 (Guatemala City, Pro Justice and Peace Committee, July 1992), pp. 10-11.

5/ Ibid, p. 27.

6/ Human Rights in Guatamela 1990, op. cit.

7/ "Le chagrin et l'effroi au Guatemala", by Maurice Lemoine, Paris, Le Monde diplomatique, December 1991.

8/ Smith, op. cit., p. 272.

9/ Human Rights in Guatemala 1989 (Guatemala City, Pro Justice and Peace Committee, 1990).

10/ Statement of Monseigneur Conedera, Pax Romana, Commission on Human Rights Summary Record of 40th Meeting E/CN.4/1992/SR.40 (Geneva, United Nations Economic and Social Council, 9 April 1992).

11/ Human Rights in Guatemala 1989, op. cit.

12/ Human Rights in Guatemala 1989, op. cit.

13/ Smith, op. cit., pp. 272-273.

14/ "Guatemalan gets human rights honor", USA Today, 20 November 1990.

15/ E/CN.4/1992/SR.40.

16/ Guatemala Indians and the State: 1540 to 1988, edited by Carol Smith (Austin, University of Austin Press, 1990), p. 254.

17/ La guerre en terre Maya, by Ives le Bot (Paris, Karthala, 1992), p. 127.

18/ Ibid., p. 195.

19/ Inside Central America, by Clifford Krauss (New York, Simon & Schuster, 1991), p. 154.

20/ Ibid., p. 159.

21/ "Indian rebels could be key in Contra campaign", by Julia Preston, Zurich, International Herald Tribune, 28 May 1986.

22/ "Les petits soldats", by Denis Reichle, Paris, Marie-Claire, October 1989.

23/ Des Incas au Sentier lumineux, by Claude Auroip (Geneva, Georg, 1988), p. 181.

24/ Le Sentier lumineux du Pérou, by Alain Hertoghe and Alain Labrousse (Paris, La découverte, 1989), p. 93.

25/ Shining Path, by Simon Strong (London, Fontana, 1992), p. 177.

26/ Ibid., p. 183.

27/ "Peruvian Indians find no salvation in Shining Path", Nicole Bennett, London, The Guardian Weekly, 3 May 1992.

28/ Ibid.

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